

## REMARKS

Claims 1-3, 6-8, and 17-23 are pending. Claims 3, 4 and 9-16 have been canceled. Claims 20-23 have been added to round out the scope of the claims.

Claims 1-3 and 6-8 stand rejected under 35 USC 101 as being directed at non-statutory matter. Claim 1 has been amended to recite an integrated video and data system thereby mooting the rejection.

Claims 6-8 stand rejected under 35 USC 112, second paragraph. The Examiner rejected claims 6-8 as method/process claims that did not set forth required steps. Applicants have amended claims 6-8 such that they can no longer be construed as method claims and are now clearly directed to the content of the data stream. The rejection is thus overcome by applicants' amendments to the claims, and claims 6-8 are therefore allowable.

Claim 1 stands rejected under 35 USC 102(e) over Gupta (U.S. Publication No. 2003/0196164). Applicants respectfully traverse this rejection. Claim 1 has been amended to recite an integrated video and data system comprising a video signal and a data signal, wherein "the data signal is integrated into the video signal." Gupta does not disclose this feature of claim 1. In contrast, Gupta, particularly as shown in FIG. 10 and explained in detail in paragraphs [0111] through [0117], teaches a system having separate video and data signals.

In Gupta, a database containing a series of annotations is formed. Each of the annotations contains a time period corresponding to a video program over which the annotation should be displayed. As shown in FIG. 10, the annotations and the video signal are displayed in a split screen format. It is crucial in Gupta for the video and data signals to be separately maintained, because, as detailed in paragraphs [0007] through [0010], the invention of Gupta is designed to allow the same annotations to be displayed with several different video signals without altering the annotations, wherein the compression rates of the video signals differ. Gupta teaches a method in paragraphs

[0096] through [0100] of synchronizing the display of the annotations with the different compression rates of the video signal such that student watching the video will receive the annotations over the periods desired by the instructor.

Accordingly, claim 1 is allowable over Gupta, as are dependent claims 2, 3, 6-8, 20 and 21.

Claims 2, 3, 6-8, 17, and 19 stand rejected under 35 USC 103(a) over Gupta in view of Bayeh (U.S. Patent No. 6,012, 098). Applicants traverse the rejection.

As stated above, claim 1 has been amended to recite, an integrated video and data system comprising a video signal and a data signal, wherein “the data signal is integrated into the video signal.” Claims 17 and 19 have been amended, similar to claim 1, to recite integrating a data signal into a video signal to form an integrated signal.

Bayeh does not disclose or suggest this feature of claims 1, 17 or 19. Bayeh teaches a method for converting data into an HTML data stream. Bayeh does not disclose or suggest the use of a video stream. Accordingly, claims 2, 3, 6-8, 17, and 19 are allowable.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief, including extensions of time, and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. referencing 577172003800.

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